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Immigration:
The Future
of America

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Message from the Commissioner

Our policy has been and will continue to be both sound and simple. We encourage legal immigration. At the same time, we totally reject the concept of illegal immigration.

The most enviable human characteristic is a sense of history. Those of us who struggle daily with the issues of legal and illegal immigration are occasionally reminded that our concerns are not new. Migration is one of the oldest human characteristics and a major force in shaping the makeup of the world's people. In 1797, a member of Congress said we were now fully populated and should severely restrict immigration. In 1902, Peter Finley Dunne's character—Mr. Dooley—said it was time to keep out the savage hordes. In 1926, Henry Pratt Fairchild lamented that one could go for miles in Nebraska without encountering anyone who spoke English and that there were even third generation immigrants who spoke no English. From time to time, we're reminded of the observation that, "The only thing that's really new is the history you don't know."

Though there have been many reasons for the migration of people—both controlled and uncontrolled—a major factor is economic. The United States is a focus of the movement because we are one of the world's wealthiest nations and access is relatively easy from a host of so-called "developing" countries to our south as well as from virtually every country with an airline connection to the United States. Therefore, we should not be surprised that the number of those attempting to migrate to this country—both legally and illegally—is immense and increasing.

This Administration recognizes and respects our heritage as a land of immigrants. By tradition, our response is

unparalleled anywhere on this globe. That tradition of hope must continue. ***But ours is a nation of laws as well as hope.*** Our policy has been and will continue to be both sound and simple. We encourage legal immigration. Since 1980, this policy has been carried out through the admission of some 2.8 million legal immigrants and almost 600,000 refugees. Few would call that a restrictive policy. At the same time, we totally reject the concept of illegal immigration. In 1985, 1.26 million people were apprehended crossing our southern border illegally. As the doors of our individual homes are not left open for anyone to enter, so we insist on knowing who is being admitted to our national home. The United States simply cannot allow all those who seek a better life to enter unchecked.

The Immigration and Naturalization Service recognizes that our mission of control is viewed with ambivalence by some portions of the American public. It is our goal to create clearer and more realistic public expectations

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about our function—including a better understanding of the linkage between enforcement and benefit functions.

1985 was characterized by continuing efforts to streamline the INS organization. A proposal was submitted to consolidate four Regions into just three; two smaller district offices were consolidated into larger ones; several Central Office functions were combined; and two regional telephone centers were established to unite the public inquiry operations of major district offices in both the Eastern and Western Regions.

Significant progress was made in reaching agreement with states to participate in the Systematic Alien Verification for Entitlement (SAVE) program, which enables state and local agencies determining entitlement benefits to verify an alien's status through INS computers. California, Colorado and Illinois had previously signed agreements; Florida agreed to participate as of June 1985, and test programs are underway in Texas, Virginia, New York, Washington, Indiana, Montana, and the District of Columbia. Talks are underway with several additional states and it is anticipated that further contracts will be signed in the near future.

As the doors of our individual homes are not left open for anyone to enter, so we insist on knowing who is being admitted to our national home.

Operational improvements were implemented, including strengthened law enforcement capability. Detention capacity was increased and additional Border Patrol agents were trained and placed on duty on the southern border as called for in the 1985 budget.

The two operational branches of the Service are Enforcement and Examinations. The branches of Information Systems and Management support those operations. *The Enforcement Branch deals with illegal immigration in all its facets.* Its primary function is to enforce the Immigration and Nationality Act of 1952 and related statutes. Toward that end, it is responsible for the development and evaluation of programs to guard against illegal entry into the United States and to investigate, apprehend and remove aliens who are here in violation of the law. *The Examinations Branch concerns itself with the entire process by which people enter the United States legally.*

In dealing with illegal immigration, we have made dramatic strides. Our efforts were focused on three critical points: *at the border*, where we attempt to prevent illegal entry; *in the interior*, where intensive efforts are devoted to the investigation of alien organizations involved in continuing criminal enterprises and fraud facilitators who assist aliens in obtaining immigration benefits; and *in the employment and entitlement area*, to prevent the unauthorized and unlawful receipt of benefits by illegal aliens to which they are not entitled. In processing legal immigration, we have substantially improved our procedures—automating, streamlining, removing backlogs and handling more cases faster and better than ever before.

Through our Priorities Management System, we collectively selected and pursued fourteen priorities in 1985. What follows is a final report on progress toward meeting those objectives and on the work of the Service as a whole. *The period to be covered—although stated simply "1985"—refers to the fiscal year beginning on October 1, 1984 and ending on September 30, 1985.*

Alan C. Nelson

Alan C. Nelson, *Commissioner*

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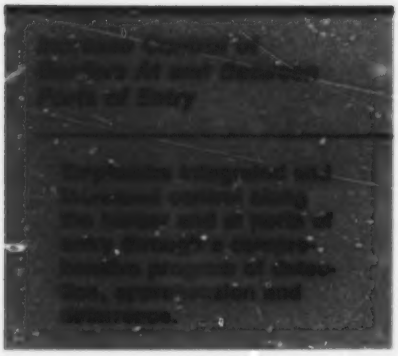
Enforcement:
Dealing With Illegal Immigration

At the Border



A major objective of the Service in 1985 was to intensify its control of entry along the border and at ports of entry. Efforts to strengthen coordination between several units charged with enforcement functions were extraordinarily successful.

The activities of the Border Patrol were pivotal in meeting this objective. As the mobile, uniformed enforcement arm of the Service, its basic mission is the detection and prevention of those attempting to enter the country illegally. Patrol agents perform their duties along some 6,000 miles of international boundaries by automobile, aircraft, boat, horseback and on foot. Of this distance, the area of greatest activity and concern is the 1,933 miles that constitute our southern border. Because of the nature of the terrain, the distance involved, and the strong pull of opportunities in the United States for those living in less

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Border Patrol officers are supported by extensive computerized systems of electronic ground sensors which alert them to individuals or groups attempting to cross the border.

Raymond M. Kisor
Associate Commissioner, Enforcement

developed countries to our south, the sheer numbers of those attempting entry is out of balance with the manpower and technology available to prevent it.

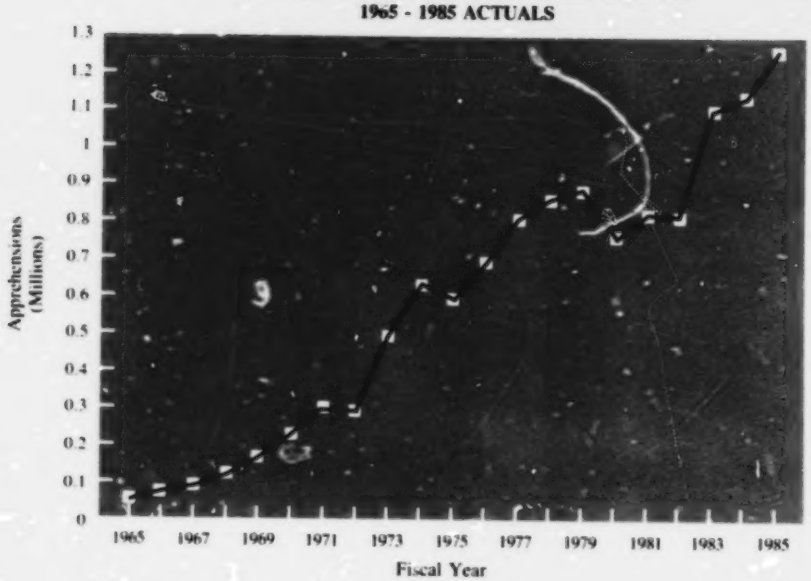
Therefore, a fundamental premise for tightening control was funding for the Border Enforcement Enhancement initiative. The Service was committed to this initiative and enabling funding was provided. The Office of Personnel and Training focused on hiring and began training approximately 1,200 Border Patrol agents—768 of which were new officer positions. Following the completion of their preparation at the Border Patrol Academy, these trainees were assigned to various duty locations along the southern border. This initiative constituted the largest single enhancement package in Border Patrol history.

The impact of this personnel enhancement on the objective of tightened border control is just beginning to be realized. A more dramatic effect should be evident in Fiscal Year 1986. It has already affected both efficiency and apprehensions—producing an all-time apprehension record of 1,262,435 illegal aliens, 10.9 percent more than in 1984. Of these, fully 94 percent were apprehensions on the immediate southern border sectors in California, Arizona, New Mexico and Texas.

Linewatch is the Border Patrol's primary function and tools for the task range from the simple to the sophisticated. The summer of 1985, for example, marked the first anniversary of the horse patrol in the Southern Region. This return to the use of horses that started five years ago in the Western Region continues to bolster Border Patrol operations in difficult to cover terrain along our southern border. In addition to their enforcement role, the horses and their riders have received extensive publicity and served as ambassadors of good will while enhancing the image of the Border Patrol through appearances at grammar schools and public functions. Recently, one lone rider working near Laredo, Texas encountered and apprehended 48 illegal aliens in one group without a single abscondee.

At the same time, Border Patrol officers are also supported by extensive computerized systems of electronic ground sensors which alert them to individuals or groups attempting to

BORDER PATROL APPREHENSIONS
1965 - 1985 ACTUALS



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Border Patrol agent watches aliens crossing the river and calls backup unit. Agent from backup unit apprehends approaching aliens.

cross the border. Further support is provided by a fleet of observation aircraft, a low light level television system, and infrared viewing devices. The Border Patrol is initiating the installation of CADRE computer systems (Computer Assisted Detection and Reporting Enhancement) at all of the Texas sectors and at the San Diego, El Centro, Yuma and Tucson sectors to assist field units in the collection, processing and reporting of information and the dispatching of operation personnel more efficiently. The CADRE system was developed as an integrated, automated detection and reporting system that is uniform throughout the Service.

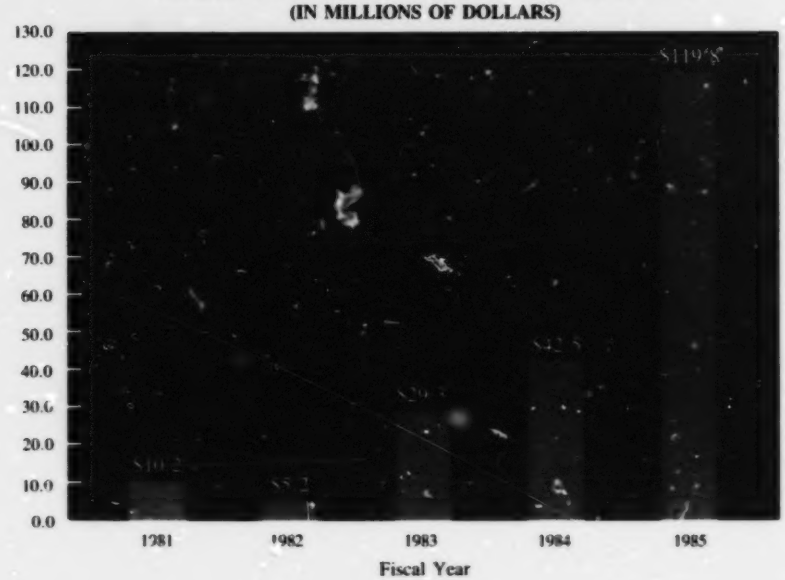
As an additional and important contribution, although not specifically charged with such responsibilities, narcotics seizures by the Border Patrol continued at increasing rates. Total INS seizures for the fiscal year were valued at $130 million. Border Patrol seizures accounted for $119 million of the total—an increase of 183 percent over 1984.

The average number of daily seizures increased from 1.3 per day in FY 1984 to 2.5 in FY 1985. The average value of each seizure increased from $61,300 in FY 1984 to $135,400 in FY 1985. The Border Patrol has increased its emphasis on narcotics interdiction because of the dramatic rise in drug smuggling activities in the last few years.

In collaborative efforts with others, the Border Patrol worked with:

- ***The San Diego Police Department*** in an effort to control border crime. This is an on-going operation to reduce violence by border bandits who prey on illegal aliens in the canyons and brushy areas near the border in southern California. An unfortunate incident in which a Border Patrol agent was shot five times—and would undoubtedly have been killed had a bullet-proof vest not stopped two rounds—gives some indication of the seriousness of the situation and the courage of the officers who seek to correct it.
- ***The El Paso and Laredo, Texas Police Departments*** in a unique "foot patrol" operation to control border crime in urban areas. This program entails Border Patrol

BORDER PATROL NARCOTICS SEIZURES
(IN MILLIONS OF DOLLARS)



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Some illegal aliens cross the border to work near this watermelon packing shed in Nogales, Arizona. They sleep in the packing crates at night. On the day this was photographed, fifteen aliens were found among these crates.

agents and police officers walking specific beats together and has proven to be very beneficial to both agencies. During the past year, 21,126 apprehensions of illegal aliens and violators of other laws were credited to this activity. The Laredo foot patrol operation began on November 11, 1985 and was accepted with overwhelming support by merchants and citizens.

- ***The Research and Development program*** of the Service, to design a vehicle mounted, infrared scope unit with rapid mobility. A prototype is currently being tested to improve detection capability during the hours of darkness.

Illegal entry is also accomplished through fraudulent documents and false claims to U.S. citizenship at ports of entry. The Inspections program is responsible for the inspection of over 300 million citizens and aliens entering the country annually, of which 180 million are at ports of entry along the southern border. Based on the knowledge that prevention of illegal entry is the primary tool by which the social cost of the illegal alien population can be reduced, greater emphasis was necessary on both detection of inadmissible aliens and development of systems by which these activities could be managed. By preventing illegal entry and deterring statutory violations, the intent of the priority—greater control—could be advanced.

The Inspection Prosecution Program was expanded in 1985 to twelve ports of entry. Inspectors detecting a violation process cases themselves instead of turning them over to an enforcement branch unit. This modification has streamlined procedures and produced spectacular success at some locations—both in improved relations with U.S. Attorneys and, statistically, with a successful conviction rate of over 90 percent nationwide. Similarly, inspectors are now handling each vehicle seizure case at some ports of entry instead of turning cases over to an enforcement branch unit. This has led to more timely and efficient processing of cases and to a 46 percent increase in vehicles seized at ports of entry.

Because of the high volume of traffic and the companion goal of facilitating

The Inspections program is responsible for the inspection of over 300 million citizens and aliens entering the country annually, of which 180 million are at ports of entry along the southern border.

A Border Patrol agent requests identification from two women in Tucson Station, Arizona. Both had a legal Border Crossing Card—issued for the convenience of the user—which allows them to enter the country for 72 hours to shop or visit as long as they do not go farther than 25 miles from the border. Traveling beyond 25 miles requires an additional permit.

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entry, inspection time averages ten seconds per person along the southern border. The Fraud Intercept Task Force (FITF) has, in its second year, again demonstrated that the rate of detection of fraudulent and malafide (unlawful) applicants for admission is directly related to the amount of time available for inspection. The FITF operated at nine sites during 1985. By augmenting the local staff of inspectors, each officer could take more time to inspect applicants for admission. This resulted in a dramatic rise in fraud detection without impeding traffic flow. For example, in Calexico, an average time increase of 3.4 seconds for primary inspection produced an average increase of 63 percent in the rate of fraud detection and a 156 percent increase in detecting malafide applicants.

The Intelligence Program of the Service contributes strategic and tactical intelligence support and technical assistance to this objective. Toward deterring illegal entries at overseas locations, the Intelligence Division expanded a joint effort with the Department of State by offering training seminars to foreign airline and foreign immigration officials in Haiti, the Dominican Republic, Curacao, the Bahamas, Panama, Mexico, El Salvador and Guatemala. The seminars focused on more effective detection of fraudulent documents. INS Intelligence has also hosted foreign government officials—including immigration officials—from Tanzania, Pakistan and Canada.

The Forensic Document Laboratory (FDL) provides scientific analysis of questioned documents and subsequent testimony in resultant criminal cases. It conducts research in the field of document fraud, provides technical assistance to field personnel, and assists in efforts to develop counterfeit-proof identification documents. The Service also participates in the operation of the El Paso Intelligence Center (EPIC) and INTERPOL. INS personnel at EPIC maintain several data bases, including a Mexican Border Smuggling Index (automated) and a Fraudulent Document Index. Service personnel at EPIC also provide tactical and analytical intelligence support to operational field staffs upon request. INS special agents who are permanently assigned to the INTERPOL National Central Bureau in Washington, D.C. provide Service officers with a point of contact with the international law enforcement community.

Much was achieved in 1985 toward tightening border control. Much remains to be done. Because of its length and the massive numbers of people strongly motivated to enter, *control*—not prevention—may ultimately be accomplished only through a combination of initiatives, including advancing technology and further intensification of manpower.

Some of these approaches are:

- The Border Patrol's authorized force was increased by 850 positions.
- Advanced, state of the art infrared night vision equipment was integrated with existing electronic detection equipment.
- Task Force operations were used to augment existing resources during peak periods.
- Improved monitoring and analysis techniques have been adopted to assist in the proper utilization and allocation of resources.

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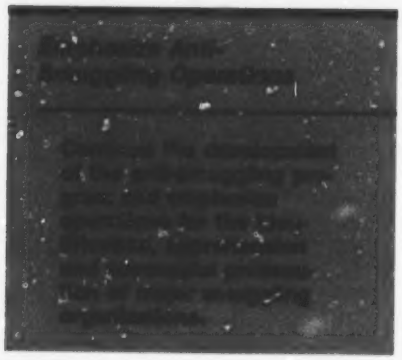
Agent from the Anti-Smuggling Unit interrogates man suspected of smuggling aliens.



Techniques used to smuggle aliens are quite varied and increasingly sophisticated. Reflecting the high profitability of this criminal enterprise, smuggling fees range up to $25,000 from Eastern Hemisphere countries, $10,000 from South American countries, $2,000 from Central American countries, and $800 or more from Mexico.

The Anti-Smuggling program focuses on the detection, apprehension and successful prosecution of organized conspiracies engaged in smuggling and transporting illegal aliens into this country. Deployed at high traffic border areas and in most major U.S. cities, sophisticated investigative techniques are used to identify and infiltrate these major violator organizations. The program has successfully terminated criminal operations engaged not only in high volume alien smuggling, but extortion, murder, kidnapping, peonage, terrorism and international document fraud as well.

To accomplish its mission, the program works closely with the Departments of State and Labor, the U.S. Customs Service, the Internal Revenue Service, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco and Firearms, U.S. Attorneys Offices, and state and local law enforcement agencies. Two Special Assistant U.S. Attorney positions were created in Phoenix and Los Angeles to assist in smuggling prosecutions.

Techniques used to smuggle aliens are quite varied and increasingly sophisticated. Reflecting the high profitability of this criminal enterprise, smuggling fees range up to $25,000 from Eastern Hemisphere countries, $10,000 from South American countries, $2,000 from Central American countries, and $800 or more from Mexico. These sums most often are paid by the alien or by family members already living in the United States, but frequently the money is paid by an employer or labor broker.

Servicewide in 1985, INS officers apprehended 18,077 alien smugglers resulting in prosecutions of 1,073 major violators and 5,587 minor violators. Convictions were obtained on 1,463 felony charges and 3,660 misdemeanors. A total of 10,348 conveyances (cars, trucks, vessels, airplanes) were seized with an estimated value of more than $52 million. From among these seized vehicles, the Service retained and incorporated 192 suitable vehicles into its fleet for use by INS officers in conducting smuggling investigations and other official functions.

Major investigations involving interagency and interregional task forces in 1985 resulted in a number of successful prosecutions of large-scale alien smuggling organizations. The investigation of one such ring operating out of a truck stop in El Paso, Texas revealed that the El Paso Truck Terminal was being used as a base of operations to recruit and smuggle aliens and narcotics, which the truck drivers transported to various cities in Texas and neighboring states. The drivers were paid with cash and/or

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At New River Crossing in California, a ten-year-old girl recently drowned when a smuggler abandoned her mid-stream after being spotted by Border Patrol agents. The girl's father—an American citizen—was unaware of the assistance the Service could have rendered toward gaining her legal entry.

drugs. The smugglers were believed to be transporting more than 300 aliens per month and their projected income was approximately $90,000 per month. The operation resulted in the indictment of thirty principals, including the main arrangers/recruiters, the seizure of twenty-one vehicles, of which seventeen were tractor trailers, and the arrest of ninety-six aliens who were being transported.

The Anti-Smuggling Information System (ASIS) of the Service is a central repository for information about the activities and associations of individuals known or suspected to be involved with the smuggling of aliens into the United States. ASIS is a centralized, multi-discipline enforcement tool which is operationally administered by the Intelligence Program of the Service: it is both a criminal intelligence system and a criminal records system. More specifically, as an intelligence system it allows for the entry and storage of both corroborated and non-corroborated information that is gathered by the Service. This applies to leads, allegations, and suspicions about a subject or group of subjects and the resources they might use in smuggling activities. At the same time, ASIS is a records system where apprehension data about individuals and resources they used during a smuggling incident are entered and maintained.

Information retained in ASIS is directly related to the Service's interest in smuggling activities or acts. The stored material comes from a variety of sources—gathered intelligence data and apprehension records to name just two—and its use extends beyond determining if an individual or group is engaged in a smuggling activity. For example, ASIS can be employed to identify international terrorists who might attempt a U.S. crossing or during investigations to link all principals and related facts into a cohesive case.

As a result of the enactment of the Comprehensive Crime Control Act of 1985, civil and criminal forfeiture law and procedures have been extensively revised. The impact of this Act on the Service—which seizes more vehicles than any other federal or state law enforcement agency—is significant. It authorized the creation of a special Department of Justice Assets Forfeiture Fund whereby all monies realized in profitable forfeitures are now deposited into the Fund. The monies are then appropriated by the

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Detention officer waiting to take a group of illegal aliens back to the border. Aliens were found hiding in the trunk of a car at the Falfurrias, Texas checkpoint.

participating Department of Justice agencies (INS, DEA, FBI and U.S. Marshals) to defray the costs associated with forfeiture action. Examples of what monies are available to the Service from this Fund are the expenses incurred as a result of the seizure (transporting, inventory, maintenance, security, advertising, preparation for sale, and sale), liens and the retrofitting of forfeited conveyances that are put into official Service use for law enforcement purposes. Many of our offices are accomplishing the seizure functions by contract, thereby releasing INS employees back to their primary law enforcement activities.

In addition, property with a value not exceeding $100,000 can now be forfeited administratively. The previous limit was $10,000. The monetary value of bonds required to contest the forfeiture of property subject to administrative forfeiture has been increased. These changes are expected to aid the Service by reducing and expediting the number of cases that had previously gone into time consuming judicial proceedings and also to reduce the number of frivolous cases that were filed as a result of an extremely low bond limit.

Lastly, the INS can now transfer forfeited conveyances to state and local law enforcement agencies that directly participated in an investigation that led to seizure and forfeiture. This significant incentive to state and local law enforcement agencies is expected to greatly increase the law enforcement presence in combating organized alien smuggling conspiracies.

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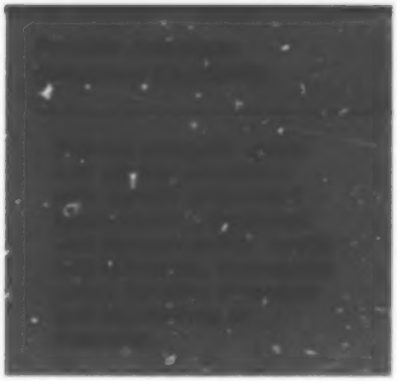

Statistics and experience indicate that the departure of detained aliens can be enforced if claims for administrative and judicial relief fail. Statistics and experience also indicate that the overwhelming majority of aliens who are released from custody on bond or recognizance are not expelled in spite of their ineligibility for relief because they subsequently abscond.

Arresting and then releasing an alien who is likely to abscond is not a deterrent to illegal entries. It tends to encourage illegal entries. Insufficient detention space and monies create a situation in which arrested aliens who cannot be removed immediately must be released on lowered bonds or recognizance. It is vital to our enforcement program that sufficient detention space be provided in order to make arrests and removals more meaningful. Apprehensions of illegal aliens have increased over 300 percent in the past 15 years and more and more of these aliens are resorting to a series of procedural delays and other avenues of relief.

In 1985, INS received a major enhancement in border enforcement resources which will significantly increase the number of apprehensions. Without adequate detention space, many of these aliens will be released and may not be removed from the United States.

- Service Processing Centers: Prior to 1985, INS operated Service Processing Centers in New York City; Miami, Florida; Florence, Arizona; El Paso and Port Isabel, Texas and El Centro, California. The combined detention capability of these centers is 2,189. The Center in Boston, Massachusetts became operational in 1985 with a rated capacity of fifty. This brought our total detention capability for Service Processing Centers to 2,239. This represents about twice the capacity that existed in such Centers in 1980.

  Construction continued on a 1,000 bed alien detention center in Oakdale, Louisiana. This facility—to be operated jointly by INS and the Bureau of Prisons—opened in early 1986. With this facility, INS will almost have tripled its SPC detention capability since 1980.

- Contract Detention Facilities: In addition to the Service Processing Centers, contract detention facilities were operated in Denver, Colorado; Los Angeles, California; Houston, Laredo and El Paso, Texas; and Las Vegas, Nevada during 1985. These contract facilities expanded our capacity by 940 beds. Initial steps were taken to obtain contract facilities in Chicago, Illinois and Seattle, Washington.

It is obvious from these statistics that although our detention capability will increase to over 4,000 by the end of Fiscal Year 1986, a large majority of apprehended aliens—over one million in 1985 with expected increases in 1986—must either be removed from the United States immediately or released from custody. Great strides are being made in reducing detention mandays and providing sufficient detention space, but these efforts must be enhanced by removal of unjustified delays in the administrative hearing process.

- Alien Transportation System: Since late 1984, a concerted effort has been made to streamline the total detainee transportation system of the Service. Negotiations have been ongoing between the U.S. Marshals Service, the Bureau of Prisons and the Service to combine their respective transportation systems. Although that result has not been fully implemented, it is nearing a reality. To further those means, the Service reached an agreement with the United States Army to purchase a Convair 580 heavy aircraft to be used in transporting detainees. Both aircraft and personnel became operational during the second quarter of Fiscal Year 1986. This will further support the 1,000 bed facility in Oakdale, Louisiana.

- Jail Inspection Program: The Immigration and Naturalization Service also houses detained aliens in numerous local, county, state and other federal facilities. In addition, we utilize those housing facilities

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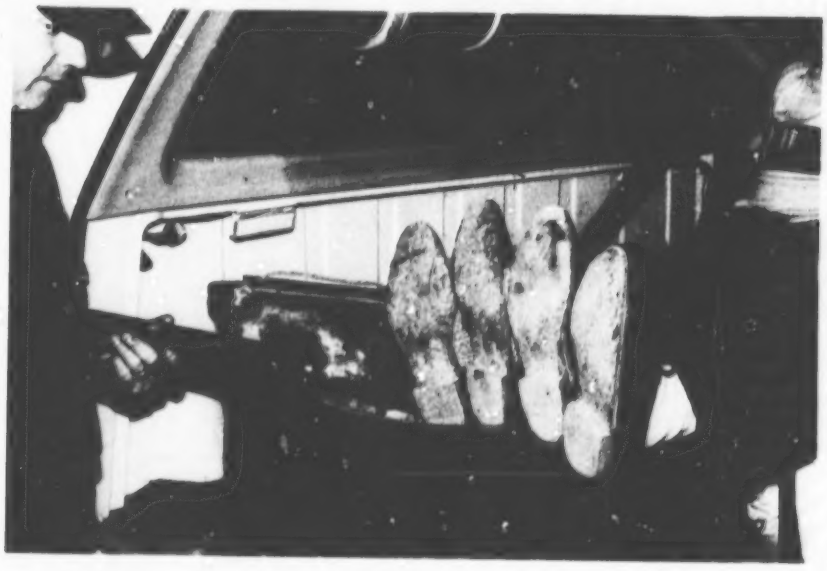
Alerted by a sensor, a border patrol agent used artificial light to track two illegal aliens and radioed the track description and direction to a second officer who made a successful apprehension.



offered by various voluntary agencies. Specially trained Service personnel conduct inspections of these facilities to ensure that the provided accommodations fall within specific standards. Since the inception of the program, 667 inspections have been conducted and as a result, INS has discontinued its use of 159 jails. This program has proven very successful and a few facilities have provided enhancements necessary to meet the stringent requirements for housing INS detainees.

- Health Care in Detention Facilities: Initial steps were taken to provide improved health care at all Service facilities through a proposed interagency agreement between INS and the United States Public Health Service. When signature of the final agreement was delayed, an alternate health care strategy was developed. An agreement has been reached for the Public Health Service to oversee contract health care provided at INS locations. In addition, the Public Health Service has agreed to explore the possibility of establishing a mental health care unit for aliens at St. Elizabeth's Hospital in Washington, D.C.

The Detention and Deportation Program has made enormous progress in providing sufficient, adequate detention space. However, unless we develop legislative/regulatory approaches for further streamlining the hearing process, these efforts may not create the desired deterrent effect because of the vast number of illegal entries and apprehensions.

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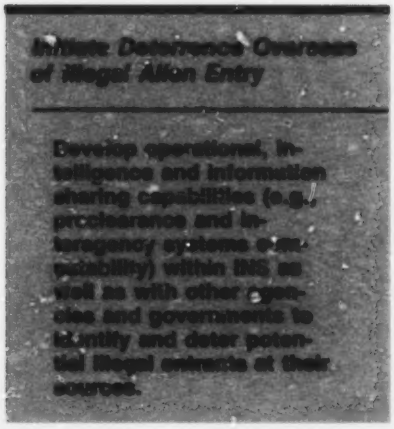
Initiate Deterrence Overseas of Illegal Alien Entry
Develop operational, intelligence and information sharing capabilities (e.g., prolearance and interagency systems compatability) within INS as well as with other agencies and governments to identify and deter potential illegal entrants at their sources.

Recognizing the potential for deterring the illegal entry of aliens into the United States from overseas, the Service initiated a number of policy directions in 1985 designed to change the complexion of duties for personnel stationed abroad. The premise was that it is easier and more cost efficient to intercept or prevent potential illegal aliens from entering the country before their actual arrival at our gates. 1985 was a year in which INS experimented with and built program support for overseas operations.

By collaborating with host governments, airline officials and other U.S. agencies abroad, the Service has begun to shut off illegal immigration routes to the United States.

Many successful precepts evolved. The Service expanded on the theory that its overseas personnel are experts—technicians—in the immigration field, are familiar with operational procedures of domestically based INS offices, and are knowledgeable about fraudulent methods (including bogus documentation) used to enter the United States.

By collaborating with host governments, airline officials and other U.S. agencies abroad, the Service has begun to shut off illegal immigration routes to the United States. Information of an intelligence value is compiled and disseminated to Service offices elsewhere to prevent fraud once aliens have arrived in the United States. In addition to those field-level efforts, Service headquarters began to implement systems through which information about aliens can be quickly exchanged between INS and the Department of State.

As our expertise grows in the deterrence field, confidence and commitment by others to assist the Service will also rise, thus leading to an increase in the numbers of illegal aliens being deterred from entering the United States. The initial indicator of success has been an increase in the numbers of such aliens intercepted or discovered and early results of these initiatives are encouraging.

We estimate our overseas personnel were directly responsible for the interception (prevention of entry) of over 2100 aliens destined to illegally enter the United States during the first six months of Fiscal Year 1985. At an estimated cost of $760 per person for removing an illegal alien from the country, this amounts to a cost avoidance of $1.59 million for those intercepted during that six month period. It is significant that most interceptions were of "third country" nationals made by cooperating host governments.

It is important to realize that the direct interception of an alien overseas results in two other factors: 1) the act of intercepting/preventing one alien is a major disincentive to other aliens seeking to use the same method and 2) aliens stopped abroad never enter the official INS system; therefore, costs for detention and expulsion are avoided.

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Illegal aliens are found during checks at a variety of job sites.

In the Interior

The Investigations Division is the interior enforcement arm of the Immigration and Naturalization Service. In Fiscal Year 1985, this Division intensified its enforcement of the Immigration and Nationality Act and related sections of the United States Criminal Code. This was done through development and implementation of a comprehensive interior enforcement strategy. Significant accomplishments were made toward:

1) in-depth investigations aimed at criminal aliens and emerging criminal organizations with substantial alien membership or participation;
2) conspiracies and large-scale immigration fraud and fraudulent document schemes;

In Honolulu, Katsuhiko Wagatsuma, a senior member of the Japanese organized crime family Yakuza, was convicted of false statements in connection with obtaining a visa and entry into the United States.

Checking for counterfeit identification is an important part of the work of the Service.

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Surveying field hands during a farm and ranch check.

3) fraud perpetrated by ineligible aliens in various government-subsidized entitlement benefit programs; and
4) deterrence efforts to impede illegal aliens from seeking and acquiring gainful employment in the United States, to the detriment of unemployed citizens and lawful resident aliens.

Criminal Aliens

Special agents successfully completed 4,759 cases against undesirable aliens who had been convicted of serious and violent criminal offenses, (e.g. robbery, rape, murder, etc.) which resulted in their removal from the United States. Among the more noteworthy cases were the following:

- In March, special agents from the Newark and Philadelphia district offices, participating with agents from the DEA (Drug Enforcement Administration) and various state and local police agencies, arrested 50 narcotics traffickers and violators responsible for the distribution of 2400 kilograms of cocaine annually. Thirty-one of those apprehended were aliens amenable to deportation.
- In Honolulu, Katsuhiko Wagatsuma, a senior member of the Japanese organized crime family Yakuza, was convicted of false statements in connection with obtaining a visa and entry into the United States. Wagatsuma had an extensive criminal history in Japan, including numerous crimes of violence and narcotics. Wagatsuma is only the most recent in a series of Yakuza members investigated by INS special agents.
- In Albany, INS special agents arrested three Colombian nationals fleeing from the explosion of an illicit cocaine processing laboratory. Discovered and seized from the vicinity: 250 fifty-five gallon drums of chemical mixing agents for use in the process. Drug officials estimate that at maximum production, the lab could produce five percent of the total U.S. cocaine market.

Major Violators

In 1985, the Service placed a priority emphasis on counterfraud measures. The Investigations Division devoted 82 percent of its productive hours to various types of immigration and entitlement benefit frauds perpetrated by or on behalf of aliens. Of this time, the great majority was spent investigating cases against fraud facilitators and organized rings. As a result of Investigations' accomplishments in this area, considerable media attention has been directed toward the expanding dimensions of immigration and alien-related fraud.

There were 341 major fraud cases conducted by Investigations special agents during the year which resulted in 846 individual convictions for felony violations. Among these were investigations:

- In Houston, where two immigration attorneys were convicted of multiple counts of false statements to the government and conspiracy as a result of a scheme to prepare and submit false labor certifications to the Service to obtain visas for ineligible aliens.
- In Chicago, where eight members of a fraud ring who had been charged in a 22-count indictment were convicted of arranging sham marriages between Pakistani nationals and citizen prostitutes for the purpose of obtaining legal residence for the aliens. The ring—which had operated for several years—was believed to have previously arranged well over 100 marriages.
- In New York City, where an employee of the Social Security Administration was indicted and arrested by INS special agents for corruptly using his position with the agency to process Social Security cards for illegal aliens in return for cash bribes.

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Training continues on the job for Service officers.

- In Memphis, where an operation by INS special agents led to the seizure of over 1000 counterfeit naturalization certificates and hundreds of other documents—including blank birth certificates which were being used by a large-scale fraud/baby smuggling ring. The suspect accused of acquiring and possessing the documents has pleaded guilty in that case and investigation into the other principals continues.

Two undertakings, the SAVE Program (Systematic Alien Verification for Entitlements) and the Employer Cooperation Program, are aimed at removing the magnets which draw aliens illegally into the interior of the United States—benefits and jobs.

Employer Compliance

INS special agents conducted 1,158 successful cases during the year against major and notorious employers of illegal aliens. These efforts led to the opening of a substantial number of job opportunities for American citizens and lawful resident aliens, as illegal aliens were removed from targeted companies and enterprises in the private sector.

Several investigations also led to prosecution and conviction of employers under the criminal provisions of the Immigration and Nationality Act related to inducing, harboring and shielding illegal aliens from detection. These cases serve as clear warning to employers that there are no blanket prohibitions to prosecution under the terms of the "Texas Proviso," which only protects employers for activities within the scope of normal hiring and employment practices.

Deterrence

Two undertakings, the SAVE Program (Systematic Alien Verification for Entitlements) and the Employer Cooperation Program, are aimed at removing the magnets which draw aliens illegally into the interior of the United States—benefits and jobs. These programs rely on automated information checks of Service records and indices to ensure that only lawful and entitled aliens enter social service programs or the job market. Both rely on voluntary participation by affected agencies or companies.

SAVE

This is a formal, intergovernmental information-sharing program designed and initiated by the Service to prevent the distribution of entitlements to ineligible aliens. Through coordinated efforts, the SAVE implementation group was able to expedite and increase the enrollment of federal and state disbursing agencies. This resulted in cost-avoidance savings in excess of $110 million in 1985. By comparison, the total allocated budget for the Investigations program was approximately $44 million. Congressional interest in the program has spurred the introduction of legislation geared toward giving it the force of federal statute.

The SAVE program provides participating agencies with direct automated access into the INS Alien Status Verification Index (ASVI). An employee from the state entitlement agency checks an alien's application and documentation against the ASVI via the state's own computer terminal. If the information supplied by the applicant corresponds with the record, a

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Processing illegal aliens.

system response is provided in 3-5 seconds. If the response indicates entitled status, the application can be processed without impediment. If there is a discrepancy between the record and the information presented by the alien, a secondary verification procedure has been established. This mail-in procedure has been designed to prevent the erroneous denial of benefits to alien applicants.

Overall, 20 states have signed agreements, expressed a strong interest in doing so, or engaged in pilot projects with local INS offices to demonstrate the feasibility of SAVE in their respective jurisdictions. Extensive briefings have been held in several states, including Texas, Florida, New York, Ohio, Indiana, Virginia, Montana, Idaho, and the District of Columbia. The geographical and political diversity of the participating states speaks to the effectiveness of a program that balances fiscal responsibility with safeguards against discrimination.

In addition to its significant cost avoidance potential, SAVE carries a number of other advantages as well. For the states, SAVE contributes to good government, assisting state agencies in servicing eligible applicants for benefits quickly and efficiently. By preventing costly payments to those who are ineligible, SAVE helps ensure the availability of funds for citizens and aliens who meet eligibility requirements. SAVE also helps remove a major incentive to illegal immigration: the lure of entitlement benefits. Moreover, it is a prime example of excellent welfare reform that will enhance the integrity of our entitlement programs.

Employer Cooperation Program

This program is used in conjunction with other Service enforcement efforts to encourage employers to hire citizens and lawful aliens and avoid the employment of illegal aliens. The program focuses on employers who are known to employ illegal aliens, providing a way for them to make a fresh start in altering their hiring practices. Employers work toward achieving a workforce of citizens and lawful aliens—instead of illegal aliens—through a simple screening procedure and the verification of lawful status of alien job applicants. INS provides information to these employers to assist them in recognizing valid alien identification documents and performs status verification checks by phone or mail, making it possible for the employer to bring new lawful employees into the work place quickly.

The screening and verification techniques used in the program have been the model for procedures outlined in the employer sanctions provisions of legislation now pending in Congress. The Employer Cooperation Program relies on voluntary cooperation and compliance rather than intrusive INS searches to reduce the opportunities for illegal aliens to find employment in the United States. The program is effective in barring illegal aliens from jobs and can be expected to increase the deterrence to illegal entry as the Service obtains new resources and automation to make the program available to all employers.

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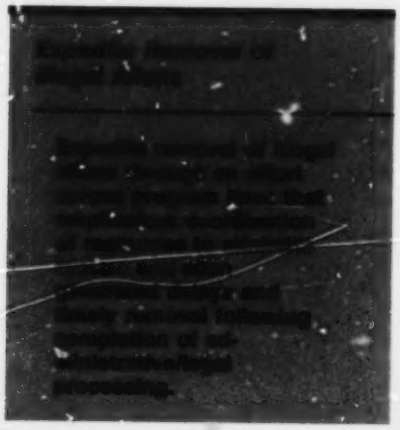
City patrol officer checking travelers at bus station.



Ten years ago, most aliens were held in detention for only a few days. Less than one percent of those detained spent more than ten days in detention. Now as much as ten percent of our detained population spend long periods in detention—usually over four months—making detention very costly and diminishing our ability to use detention to support the border enforcement program.

The effectiveness of enforcement is predicated on an assumption that we can effect a prompt resolution to the status of apprehended aliens and ensure their speedy departure from the United States. Events in recent years have demonstrated that this is becoming an increasingly difficult task to achieve.

Investigations, Border Patrol, Anti-Smuggling and Inspections activities result in the detection of excludable and deportable aliens who are referred for detention. The Detention and Deportation Program is subsequently responsible for the supervision, detention and removal of these individuals from the United States.

Over the years, the removal of illegal aliens from the United States has developed into a very lengthy and costly process. These problems were recognized and it was determined that emphasis would be placed on reducing detention costs by shortening the hearing process and expeditiously removing illegal aliens from the United States.

In order to achieve this, all involved programs would need to coordinate resources—whether funds or personnel. The length of time an asylum case pends with the Department of State and the length of time a case pends on appeal or in litigation would have to be reduced. Additionally, alien generated delays would have to be curtailed. Problems encountered in obtaining travel documents and permission of foreign governments would have to be resolved in order to remove these aliens promptly when the hearing process was completed.

All of these events have had a pronounced effect on our ability to use detention as a tool for serving the removal process. Ten years ago, most aliens were held in detention for only a few days. Less than one percent of those detained spent more than ten days in detention. Now as much as ten percent of our detained population spend long periods in detention—usually over four months—making detention very costly and diminishing our ability to use detention to support the border enforcement program. Since the cooperation and coordination of several programs within the Service were necessary to achieve the expeditious removal of illegal aliens, it became a priority under the Priority Management System for 1985.

■ ***Deportable Alien Control System (DACS):*** In order to track these cases, Central Office Information Systems was requested to assist in the installation and conversion of a computer system at all Service Processing Centers and some major INS district offices. Through the use of these computers, the Deportable Alien Control System is utilized to track cases and determine action necessary to

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speed up the hearing process. Any cases that appear unusually delayed are brought to the attention of the responsible individuals through the use of computer generated reports.

Since every alien in whose case an Order to Show Cause is issued or who is placed in exclusion proceedings is entitled to a hearing before an immigration judge, the immigration judge plays a very important role in the hearing process. Due to a limited number of immigration judges and limited resources within the Executive Office for Immigration Review (EOIR), the responsible agency, initial hearings are scheduled several months in advance. This—together with numerous adjournments and continuances granted to aliens—tends to lengthen the hearing process. These delays in the hearing process are referred to as *alien generated delays* and include, among other things, frivolous claims to political asylum, each of which must be acted upon by the government. By tracking these cases via DACS and bringing them to the attention of the Chief Immigration Judge, the number of adjournments is being reduced, especially in those cases where it is obvious that the alien's request for adjournment is frivolous.

■ ***Hearings:*** Aliens in detention remain in custody during the entire hearing process unless it is determined that they should be released on their own recognizance—usually for humanitarian reasons—or they post a required bond. To hold aliens in custody over protracted periods of time is not cost effective. A large number of aliens today request political asylum, regardless of nationality. This tends to lengthen the hearing process since the Department of State must be consulted in each of these cases. To add to the hearing process time, consideration must be given to the administrative appeal process. Upon issuance of a final order by an immigration judge, the alien has the right of appeal to the Board of Immigration Appeals and subsequently to the federal courts if he/she so desires.

■ ***Bag and Baggage Cases:*** Aliens who have been released under bond or on recognizance proceed through the same hearing process. Upon issuance of a final order of deportation by an immigration judge or appellate tribunal, these aliens are ordered to surrender for deportation. It is a source of concern for the Service that recent statistics reveal a large percentage of them fail to appear—thus becoming absconders. Aggressive steps are being taken to correct this problem, including assignment of rigorous timetables for prompt referral and investigation; formation of mixed officer squads with various enforcement units to track down these alien fugitives; consideration of methods to enter the fugitives into national automated "wanted" files; and regulatory amendments to close the loopholes presently subject to abuse by aliens at liberty while under deportation proceedings. Significant success is anticipated in 1986.

■ ***Travel Documents:*** In order to remove aliens from the United States, valid travel documents and permission to enter foreign countries must be obtained from foreign governments. This requires liaison with foreign government officials and the Department of State. Progress has been made in this area through concerted efforts by INS personnel, and in some instances where it was virtually impossible to obtain travel documents, they are now readily issued by the foreign government.

■ ***Removals and Deportations:*** In 1985, a total of 1,069,680 illegal aliens from over 100 countries were successfully removed from the United States. This included 21,588 formal deportations and 201 Mariel Cubans who were returned to Cuba before that country terminated the agreement with the United States for the return of these individuals.

The emphasis placed on this important initiative is being continued. We expect to realize even greater improvement in 1986.

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Within the last few years, INS special agents began to realize that counterfeit immigration documentation and counterfeit documentation from other official agencies and government entities were increasingly being used by aliens to obtain various types of entitlement benefits such as food stamps, welfare, Medicaid, low-interest government funded student loans, etc., as well as to obtain employment.

For many years, counterfeit immigration documentation was used for applications and petitions filed for benefits under the Immigration and Nationality Act and obtaining employment in the United States. Within the last few years, INS special agents began to realize that counterfeit immigration documentation and counterfeit documentation from other official agencies and government entities were increasingly being used by aliens to obtain various types of entitlement benefits such as food stamps, welfare, Medicaid, low-interest government funded student loans, etc., as well as to obtain employment.

So little was known about the nature of immigration documentation by other agencies that many aliens presented expired documents and were granted benefits anyway. In other cases, aliens were either never asked by officials of other agencies about their status or were not required to substantiate their assertions by showing appropriate documentation.

Intensive investigative efforts are now aimed at not only the vendors of their counterfeit documents, but also the manufacturers, with the intent of seizing printing equipment and paraphernalia and the inventory of bogus documentation.

These measures have been accompanied by comprehensive reviews of many of the documents issued by the Service and other government agencies with the view toward amending them to be clearly readable and resistant to tampering. INS special agents have also begun an aggressive education campaign to ensure that those in responsible positions both within government and the private sector understand the minimal requirements for alien eligibility for jobs or entitlements and the nature of documents issued by the Service or related agencies.

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Service to Legal Aliens

The bosom of America is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment.

—George Washington

The admission of individuals into the United States is not a question of policy: it is a matter of law.

Merit has long been associated with the granting of American citizenship. It is, in fact, at the core of virtually all decisions granting any kind of privilege. To live, work, study and seek citizenship in the United States are benefits highly valued throughout the world. Assessing the merit of petitions for these benefits—though guided by the law—can be exacting in the extreme. The Adjudications and Naturalization Program of the Service made 1,860,000 such evaluations in 1985.

The admission of individuals into the United States is not a question of policy: it is a matter of law. The Immigration and Nationality Act of 1952 specifically outlines the grounds for alien admission and exclusion, and establishes a ceiling on total numbers permitted in certain immigrant categories within a given fiscal year. Administering the process of legal admission within the parameters of the law is the essence of our mission. Because of the large number of people requesting that privilege, administering the law as fairly and efficiently as possible is our goal. Given the increasing incidence of efforts to circumvent the law, sustaining the integrity of lawful immigration procedures is the challenge.

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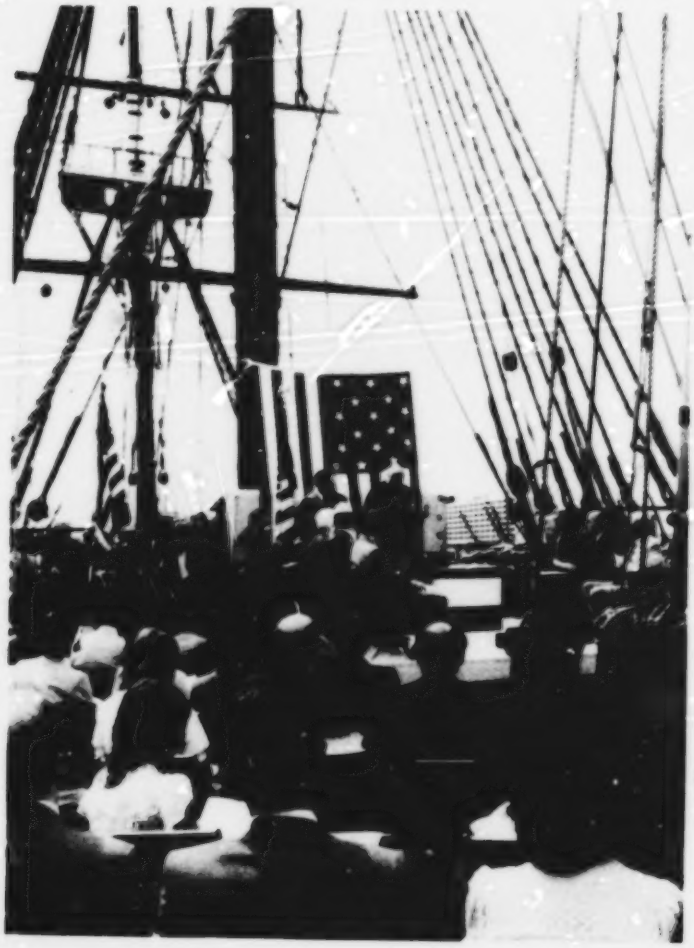
The Service arranges special naturalization ceremonies throughout each year similar to this one on board the USS Constellation in Baltimore.



To live, work, study and seek citizenship in the United States are benefits highly valued throughout the world.

The objective of the Balanced Adjudications System is to complete the largest number of applications and petitions in the most efficient manner while maintaining uniform, quality decisions. The phrase "uniform quality decisions" simply refers to the desired outcome that benefits will be given to those entitled to them and denied to those who are not. To a greater extent than ever before, systematic procedures for reviewing approvals and denials are being used to guarantee that the quality of decisions is consistent nationwide.

Foreign nationals requesting admission to the United States on a *temporary* basis—to visit, conduct business or go to school—are called *nonimmigrants*. The Adjudications program received approximately 838,000 requests from these individuals in 1985 for time extensions. The largest number of applications in the nonimmigrant category come from visitors and business people. Visitors who wish to extend their time must demonstrate financial ability to sustain themselves during the additional period.

Approximately 550,000 petitions are filed annually by individuals wanting to bring relatives or needed workers to the United States on a *permanent*

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Richard E. Norton
Associate Commissioner, Examinations

basis. People so admitted are called *immigrants, permanent resident aliens,* or *lawful permanent residents.* They may live here, are authorized to work, may petition for spouses and unmarried sons and daughters to join them, and may—after five years—apply for citizenship if they so choose. Whether the request is for temporary or permanent admission, decisions must be made against the backdrop of *thirty-three potential grounds for inadmissibility*—ranging from medical problems to the possibility that someone would become a public charge.

There are no numerical restrictions on the entry of spouses, minor children and parents of United States citizens. In 1985, this category alone totaled 198,143. Other relatives and needed workers are granted visa numbers according to a six category preference system that allocates a total of 270,000 visas. That system is as follows:

First Preference: unmarried sons and daughters of U.S. citizens.

Second Preference: spouses and unmarried sons and daughters of aliens lawfully admitted for permanent residence.

Third Preference: members of the professions or persons of exceptional ability in the sciences and arts.

Fourth Preference: married sons and daughters of U.S. citizens.

Fifth Preference: brothers and sisters of U.S. citizens who are 21 years of age or over.

Sixth Preference: skilled and unskilled workers in short supply.

The maximum number of preference visa numbers (legal authorization to immigrate) that can be allocated to citizens of one country in a given fiscal year is 20,000. This number quickly disappears in Mexico, Korea, Jamaica, China, India, the Philippines and the Dominican Republic. The overall demand for preference immigrant visas is enormous—1,777,931 registered immigrant applicants as of January 1985. In some countries, visas are only now becoming available for persons whose applications were approved as long as eight and one-half years ago, and since the demand far exceeds the supply in those countries, as a practical matter, many people whose applications are approved will wait many years to receive visas.

The ultimate benefit for aliens is the granting of citizenship. This year, naturalization receipts were up 6.8 percent to 396,000—an all-time high for the second year in a row. Those filing for naturalization must demonstrate:

1) *the ability to speak and read English;*
2) *knowledge of United States history and government; and*
3) *good moral character.*

This is accomplished in an interview with an immigration examiner. Successful applicants are then scheduled to be sworn in as citizens at a naturalization ceremony which takes place before a state or federal judge.

The Immigration and Naturalization Service arranged naturalization proceedings for more than 250,000 persons in 1985—an increase of 11 percent over last year. In another record year in Los Angeles, 13,000 people became American citizens on June 20 and 21, followed by another 13,000 new citizens on July 31 and August 1.

Several of the major "public use" forms were redesigned to clarify and simplify instructions, to promote understanding and accurate completion by the public, and to ensure compatibility with automated systems.

Other concrete steps were taken to improve the adjudications process:

- Several of the major "public use" forms—which are used in the majority of the requests for benefits from the public—were redesigned. The forms were adjusted to clarify and simplify instructions, to promote understanding and accurate completion by the public, and to ensure compatibility with automated systems. It is anticipated that the newly revised forms will assist the public by enabling persons to complete them with fewer inquiries and decrease the number of submissions which are returned due to incom-

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A new 25-page booklet entitled, "The Immigration of Adopted and Prospective Adoptive Children" was published. This is an excellent guide for those persons who want to adopt a foreign child but do not know how or where to begin.

plete or inaccurate information. The new designs also assist Service personnel in visual reviews and accelerate data entry into automated systems.

- A uniform adjudications approval stamp was designed. This stamp will minimize the incidence of fraud on applications and will enable INS and Department of State officials to detect fraudulently-approved forms more readily.
- The Service implemented the Cuban Adjustment Program, which included the processing and adjudication of applications for permanent residence filed by Mariel Cubans. Through the use of a new automated system, the Cuban Adjustment Program Subsystem (CAPS), the Service is able to conduct automated record checks with federal, state and local law enforcement agencies. Additionally, CAPS provides information regarding the status of individual cases, generates interview schedules and results, records and reviews the security status of applicants, provides summary reports representing the disposition of cases and enumerates reasons for denials. CAPS also has on-line scheduling capabilities and can generate a call-in letter and record of lawful admission.
- Under a reorganization in 1983, the Central Office Examinations Division assumed control of all naturalization and citizenship functions. The main transition in this reorganization was the replacement of attorneys by immigration examiners and the training of these examiners in all functions of naturalization and citizenship processing. To ensure quality work, Central Office Adjudications—supported by the Service's training division—prepared a comprehensive training program that has been ongoing since 1983. In 1985, two Naturalization Examiner Training Courses were conducted with 24 persons in each class. A total of 124 examiners have been trained since the reorganization.
- The Naturalization Automated Casework System (NACS) was implemented this year and became fully operational in three major district offices: Chicago, San Francisco and Miami. The purpose of NACS is to aid the Adjudications Program in the processing and control of naturalization cases. It has proven to be extremely successful in providing better service to the public through many of its built-in features such as the generation of certificates, petitions, notices to applicants, court lists, and congressional lists.
- The Examinations Handbook was revised—the first revision since its publication in October of 1982. The Directory of Naturalization Courts handbook was also revised.
- A new 25-page booklet entitled, "The Immigration of Adopted and Prospective Adoptive Children" was published. This is an excellent guide to those persons who want to adopt a foreign child but do not know how or where to begin. It is also a valuable resource for adoption and voluntary agencies and

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The Refugee Act of 1980 defines a refugee as an individual who has been persecuted or has a well-founded fear of persecution on the grounds of race, religion, nationality, political opinion, or membership in a particular social group in his home country or country of habitual residence.

state and local officials who are involved in adoption proceedings. It provides simple, step-by-step information on the orphan petitioning procedure. Information on some of the difficult issues that sometimes come up in orphan cases is also included.

The Office of Refugee, Asylum and Parole also had objectives to meet under the Balanced Adjudications Priority. The Refugee Act of 1980 defines a *refugee* as an individual who has been persecuted or has a well-founded fear of persecution on the grounds of race, religion, nationality, political opinion, or membership in a particular social group in his home country or country of habitual residence. A refugee applicant normally has fled to another country, frequently adjacent to his own, which is referred to as the "country of first asylum," where he is interviewed by immigration officials for resettlement in the United States. *There are annual numerical limits on the number of refugees to be admitted in a given fiscal year.* The maximum number of refugees is established each year by the President after consultation with the Judiciary Committees of Congress.

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The work of the Service in upholding the law corresponds fundamentally with the principle of supply and demand. It is the responsibility of the Examinations Division to administer the supply. The charge of the Enforcement Division is to control the demand. All too often—because the demand exceeds the supply—fraud is the result.

An applicant for *asylum* is a person who claims to be a refugee and seeks an interview when he is already in the United States. Successful asylum applicants are called asylees. *There are no limits on the number of individuals who can be granted asylum annually.* Asylees generally are not admitted as such, but claim asylum after their admission in another category. Although there is no limit on the number of persons who can be granted asylum, there is a 5,000 ceiling on asylees granted legal permanent residency in any year. The Attorney General also may parole otherwise inadmissible aliens into the United States for humanitarian or emergent reasons that are in the public interest. During 1985, in exercise of the delegated parole authority, the Office of Refugee, Asylum and Parole approved 788 such requests while denying 606.

Congress, in passing the Refugee Act of 1980, specifically excluded from its coverage persons displaced by civil war or internal disorder. Nevertheless, it is possible for *individuals* in a country torn by civil war or internal disorder to be granted refugee or asylee status *if* they were targeted for persecution on one of the five grounds mentioned above.

The number of Haitian economic migrants interdicted on the high seas increased 79 percent in 1985. Nearly 3,800 were intercepted and returned to Haiti after interviews by Service officers on board U.S Coast Guard cutters. Each interdictee was interviewed to determine motivations for leaving Haiti. None were found to have a well-founded fear of persecution. In addition to the prevention of illegal entry into the United States by these Haitians—with enormous subsequent costs for detention and deportation—the Haitian Migrant Interdiction Operation saved countless Haitian lives. Many of the 58 vessels interdicted in 1985 were primitive wooden sailing boats that were unseaworthy. They were usually criminally overloaded by the alien smugglers who sought to maximize their illicit profits. Many of the vessels were derelict and floundering when apprehended by the Coast Guard.

Overseas refugee processing in 1985 resulted in nearly 60,000 approvals for admission to the United States. As in recent years, Southeast Asia remains the greatest souce of refugees—accounting for two-thirds of the total. Progress toward immigration normalization in this region continues, however, as the actual numbers and percentage of Southeast Asian admissions continue to drop.

Decision-making on refugee and asylee cases is enormously complex. On asylee cases, the Service works closely with the Bureau of Human Rights and Humanitarian Affairs and on refugee decisions with the Bureau of Refugee Programs—both of the State Department.

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Fraud

What has been outlined above represents the broadest strokes of the legal framework relative to the quantitative and qualitative requirements for immigration. *It is the law.* The intent is to preserve family ties, provide qualified workers for the labor market, and meet the nation's obligations to legitimate political and religious refugees.

The work of the Service in upholding the law corresponds fundamentally with the principle of supply and demand. It is the responsibility of the Examinations Division to administer the supply. The charge of the Enforcement Division is to control the demand. All too often—because the demand exceeds the supply—fraud is the result. The restrictions of the law are resisted not only by aliens who attempt illegal entry but also by American citizens who knowingly hire illegal aliens or provide them with sanctuary. The motivations may vary but the outcome is the same: they are attempts to circumvent the law.

While fraud has been a pervasive problem for Service officials in general, the privilege of immigration is being abused by ever-increasing numbers of individuals. Marriage, for example, has always played a crucial role in the laws and policies governing the immigration of aliens. The existence and preservation of close family ties form the basis for numerous benefits and waivers under the law. Unfortunately, these special privileges are being abused by persons who feign legitimate relationships to circumvent the law. Tremendous draw factors and few deterrents make this type of fraud irresistible to aliens seeking legal permanent resident status. Marriage fraud and fiance fraud now pose significant threats to the integrity of lawful immigration procedures.

Marriage fraud and fiance fraud now pose significant threats to the integrity of lawful immigration procedures.

The value placed on marriage and the unity of the nuclear family is reflected in the law by entirely exempting the immediate relatives of U.S. citizens—defined as their children, spouses and parents—from all numerical restrictions cited in the Act. Therefore, immediate relatives do not have to wait for a visa number to become available and effectively "cut ahead" of those intending preference immigrants who must wait for their turn. For some immigrants in oversubscribed categories, the wait is as long as 15 years.

In September 1985, for example, visa numbers became available to Filipinos seeking visas as members of the professions or aliens with exceptional skills who applied before October 15, 1970. An alien who marries an American citizen, however, does not need to wait for a number and normally will acquire immigrant status within several months. Similarly, an alien fiance indicating intent to marry a U.S. citizen need not wait for a number and can readily obtain a fiance visa.

Marriage, then, has become the single largest qualifying mechanism for immigration because it is the easiest to pursue. By virtue of a simple ceremony taking only a few minutes, marriage to an American citizen confers "most favored alien" status on the beneficiary and almost instantly results in immigrant status. There are myriad motives and forms of marriage fraud, but the objective of the perpetrator is to gain the benefit of legal permanent resident status at the lowest cost with the least risk in the shortest amount of time. Although this is only one form of fraud with which we must deal, it is a significant one.

In 1985, the Adjudications and Investigations Divisions of the Central Office assumed parallel anti-fraud objectives under the Priorities Management System. Toward the objective of operating a Balanced Adjudications System, the Adjudications Program undertook, in cooperation with the Enforcement Branch and the Regions, to "perform studies in FY 1985 and propose strategies to result in measurable improvements in prevention and detection of fraud and in quality adjudications."

Field estimates and previous studies—most recently the Investigations Division's 1985 Fraud Survey, also indicate significant incidence of fraud in other major petitions. The current thrust of our strategy is not to determine the amount of fraud, but rather to devise the most effective means of limiting it. Acceleration of activity in this area is anticipated in 1986.

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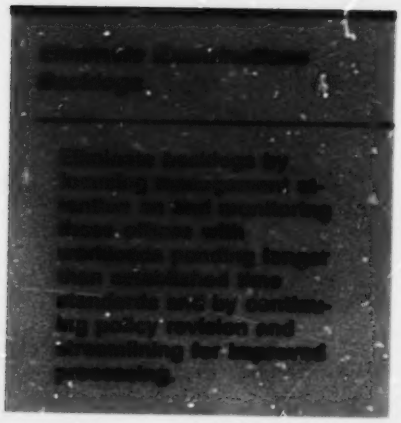
Aliens take oath before being interviewed by a naturalization examiner.



Adjudications and Naturalization procedures involve self-imposed time limits. The acceptable time for processing naturalization and nationality cases is four months; adjusting from non-immigrant to immigrant status (providing a green card) is three months; petitions for a visa is 1½ months; and petitions for non-immigrant status is 30 days. These time frames are directed primarily by Regional Commissioners who can detail personnel and concentrate resources when backlogs begin to build up.

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The naturalization/ nationality backlog did not increase nationwide, despite a 7.4 percent increase in new applications over last year.

Largely due to management emphases, along with improvements and assistance from the Enforcement Branch, adjudications backlogs are virtually non-existent, which was a major objective for 1985. The naturalization/nationality backlog did not increase nationwide, despite a 7.4 percent increase in new applications over last year. Adjudications backlogs remain at only a few isolated offices.

This was possible again in 1985 because of the Priorities Management System which sets numerical goals for each Region to deal with backlogs and also—for the second year—through the Balanced Adjudications System. This system divides and assigns the workload of applications and petitions for temporary or permanent admission so that available resources are combined in the most efficient manner. Those applications and petitions that require interviews—naturalization, asylum or adjustment of status—as well as applications on which immediate action is required *must* be handled in a district office. To lighten their load, applications not requiring interviews or immediate handling are forwarded to Remote Adjudication Centers or "RACs." To maximize the productivity of examiners, these Centers were created to allow uninterrupted time to work on applications requiring no interaction with the public.

Because of fewer interruptions, productivity in the RACs is 25 percent greater than in district offices. RACs are located in Dallas, Texas; San Diego, California; Burlington, Vermont and Lincoln, Nebraska. Less complicated cases are referred to inspectors at ports of entry—especially on the northern and portions of the southern borders—where inspectors complete them when they are not involved in the inspection process. In 1985, RAC completions increased 41 percent and port of entry completions increased 13 percent over last year.

Substantial progress was also made in 1985 toward the goal of currency in adjudicating asylum claims. At the beginning of the year, pending cases exclusive of Cubans and Haitians numbered 9,399. By the end of the year, these were reduced to less than 5,000—even though new filings remained at high levels. This pending figure of 5,000 is equivalent, therefore, to the approximate number of receipts in four months—the normal processing period for an asylum claim.

Processing asylum cases requires considerable knowledge and skill. The Office of Refugee, Asylum and Parole this year designated a special group of examiners to be trained in this specialized function. District offices around the United States with the largest asylum claims caseloads identified immigration examiners who would be assigned to the adjudication of *all* asylum claims received by that office in the coming year. These individuals participated in the subsequent Asylum Officers Training Conference which provided them with intense and detailed instruction on Service policies and procedures, recent case law decisions, developments within major refugee generating countries, and the opportunity for in-depth examination of complex cases.

This training was followed by a smaller conference for regional and district office management personnel with a special focus on Central American asylum claims. Conference materials developed for these training sessions were then distributed to all district offices. To assure officer access to current country conditions information, the Office of Refugee, Asylum and Parole commissioned a series of country profile reports on countries from which the majority of asylum applicants were coming. The specialization of these asylum examiners—together with enhanced Central Office direction and support—is expected to further reduce existing asylum backlogs to negligible levels as well as raise the quality of these complex adjudications.

The Administrative Appeals Unit of the Service is responsible for reviewing appeals on decisions of District Directors. In 1985, AAU completed almost 4,000 appeals—1200 more than last year. The AAU has been operational for two years and has been extremely successful in providing the public with uniform, quality decisions. Despite a sharp increase in the number of cases received, the unit has kept its processing time down to about 60 days. Moreover, five cases were selected for publication as precedent decisions.

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The Central Index System, consisting of nearly 21 million alien case files, became fully operational in September 1985. The Index now supports over 12 million inquiries a year.

The Commissioner's Priority Management System for 1985 outlined the task of integrating automated systems into Service operations. Thus our main thrust was the integration of already developed systems into field locations to expand their use in the functional areas where access was so sorely needed while at the same time executing the equipment contract to provide the where-with-all for that access. Described below are the hardware and application systems that have been implemented along with other significant accomplishments that supported our efforts. Several of the new applications systems replaced existing interim systems.

New systems implemented in 1985 were:

- ***Two Service data centers:***
  - —In Washington, D.C., to support the processing needed for ongoing development efforts. Once developed, these systems/applications would be placed into operational mode either at the Department of Justice data centers or the San Diego INS data center. The criteria for determining its residency would depend upon its need for centralized accessibility or decentralized (regional) accessibility.
  - —In San Diego, at the Border Patrol Sector Headquarters located at Chula Vista, California. This center was established to provide processing for localized (geographically disbursed) INS casework systems that did not require full centralized access. Data needed at the centralized level is to be batched to the appropriate DOJ data center housing affected databases.
- ***The Central Index System***, consisting of nearly 21 million alien case files, became fully operational in September 1985. CIS was developed to provide a central repository of names and alien numbers of individuals of interest to the Service. It replaced the older, inflexible Master Index Remote Access System (MIRAC). CIS provides on-line inquiry at INS offices and other agencies involved in intelligence or law enforcement, to A-file location information, and immigration status and biographical data. ***The Index now supports over 50,000 inquiries a day, which translates to over 12 million inquiries a year.***
- ***Casework support systems*** were developed to track and report on naturalization, deportation and legal casework. They are being implemented in Service offices in coordination with equipment and telecommunications deliveries and installations. These systems are targeted for implementation on INS regionalized data centers to facilitate localized casework processing.

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—The Naturalization Casework System (NACS) is replacing a similar interim system with greater capabilities for automating the production of various forms and reports from the inception of a naturalization case to its final disposition; the production of schedules for hearings; and furnishes workload statistics to promote optimum use of resources. NACS was installed in Chicago, San Francisco and Miami during 1985.

—The Deportable Alien Casework System (DACS) is also replacing a similar interim system that maintains automated booking data for detainees along with the capabilities mentioned above for NACS. This system was newly installed in Chicago during the fiscal year.

—The Legal Casework Tracking System (LCTS) is new and basically an extention of DACS that compiles and monitors complex calendars for legal staffs, producing automated reports and workload statistics. This system was installed in Chicago in 1985.

- ***The Seized Vehicle Information System (SEVIS)*** supports the enforcement and administrative activities associated with the seizure of over 8,000 conveyances per year used in violation of the Immigration and Nationality Act, including the administrative and judicial forfeiture processes, automatic reports and statistics, and interfaces with the Vehicle Accounting and Reporting System (VARS). SEVIS is currently being tested and is located at the San Diego data center.

- ***The Directives and Instructions Access System (DIAS)*** provides access to INS "law books," i.e., the Immigration and Nationality Act, Operations Instructions, regulations and interpretations, and the Administrative Manual. Immediate updates are now available for regulations, policies, procedures, instructions, etc.

- ***Freedom of Information and Privacy Acts Case Tracking System*** facilitates the processing and response to such inquiries. In addition to tracking requests, the system provides reporting information for annual reports.

Other on-going operations or systems expanded in 1985 were:

- ***The INS Integrated Network Communications System (INSINC)***, established to provide nationwide access to INS systems, was expanded. It now reaches 114 sites and currently comprises access on over 32,000 miles of network. As designed, it constitutes the single backbone that ties together all Service processing between INS loca-

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The Western Region's slogan—"We Serve With Courtesy and Pride"—was adopted throughout the Service.

tions and DOJ data centers. In addition, it supports INS access to NLETS (National Law Enforcement Telecommunications System) and NCIC (National Crime Information Center) and access by state governments to the Alien Status Verification Index for Project SAVE.

- ***The Alien Documentation Intelligence and Telecommunications System (ADIT)*** is an ongoing operation that provides the mechanism for the Service to issue computer-based, fraud-resistent identity documents to resident aliens and other classes of entrants such as border crossers and parolees. Since its inception in 1977, approximately 6 million cards have been issued. Over one million new resident aliens received cards in 1985.
- The data base of the ***Anti-Smuggling Information System (ASIS)*** was expanded in 1985. ASIS is an automated relational data system of information related to alien smugglers and associated case-related intelligence data. It provides on-line access to 1.5 million records of data such as phone numbers, addresses, auto license numbers, names (and aliases), incidents and related narratives. It also provides correlation of this diverse nationwide data to facilitate detection of groups engaged in smuggling activities. ASIS is located at the San Diego Data Center.
- ***The National Automated Information Lookout System (NAILS)*** was expanded into additional secondary locations at seven of the largest airports—Chicago, San Francisco, Miami, New York, Boston, Seattle and San Juan. It is available from all INS terminals and permits 17 types of inquiry, supports temporary emergency lookouts, purges expired lookouts, links aliases with legal names, and houses stolen document data. This system supports both the enforcement and examination functions.
- The INS Long Range ADP Plan was updated to reflect changes in priorities and progress made thus far.
- As an important part of the integration process, training was recognized in this priority as playing a very important role. As of the end of 1985, 1,100 users were trained on the Central Index System alone. In addition, another 1300 users were trained on NIIS (Nonimmigrant Information System), NAILS, ASIS, AFACS (Alien Files Accountability and Control System), FOIA/PA, DACS, DIAS, the Student/Schools System and the Cuban Adjustment Processing System.

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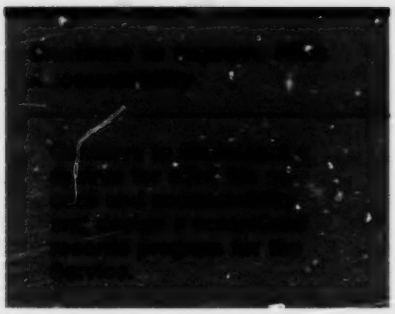


The Commissioner's Priority Management System emphasized continuance of efforts to improve files accountability through implementation of the automated A-file Accountability and Control System (AFACS) at major INS field sites. This system uses barcode equipment similar to equipment used in many retail outlets. Each alien file (*A-file*) in the file control office has a barcode label encoded with the alien's A-number. As files are moved within the office, barcode readers record the A-number from the file jacket and capture location data to update the local data base. The data base is resident on a minicomputer in the local office.

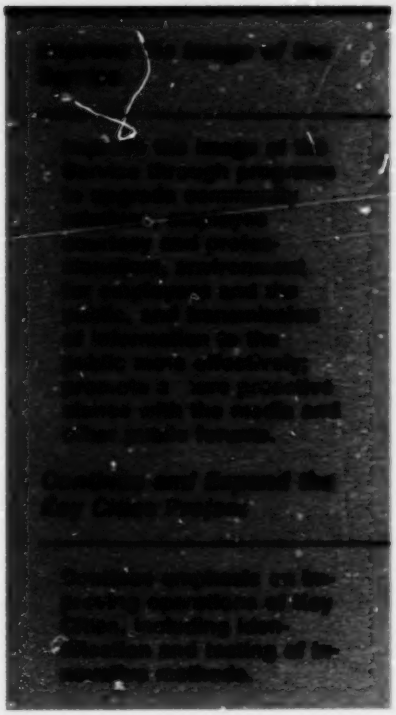
In 1985, the AFACS system was installed in the Chicago District Office. In Fiscal Year 1986, the system will be installed in the New York City, Washington, D.C., Los Angeles, and Seattle offices. Additional sites (Miami and San Francisco) have had files barcoded and will receive the system as resources permit. By the end of Fiscal Year 1986, up to 47 percent of the A-files will be controlled by the AFACS system. In New York City alone, over 2 million A-files have been barcoded and their exact location will be tracked using the AFACS data base.

The AFACS system has shown immediate benefits. Records supervisors report up to a 50 percent reduction in file requests, special searches, and other categories of workload. With file location data readily available to operating units via terminal inquiry, requests for unavailable files are not generated and requests for files in other operating sections can be sent directly to those units.

Other benefits have resulted from the data preparation (barcoding of A-files) and implementation audit efforts. Over 75,000 misfiled and missing files were located in the five Key City sites. Improvement in the file room conditions—identifying and pulling files for repair, files consolidation, removal of "outguides" which are no longer needed, and general refiling and straightening of files—has occurred. Files can be located more easily and quickly, unnecessary file searches are reduced, and a significant time savings is associated with retirements to and recalls from the Federal Records Center.

In addition, statistics are being automatically compiled on file use, movement, and aging. This type data will help the agency in decision-making with respect to how it uses, processes, and stores its A-files. The Project INFORM team is continuing to evaluate methods for providing the Service with file storage relief, investigating various paperless technologies for records storage, and developing plans and strategies for possible centralized storage of A-files in a National Records Processing Center. A cost-benefit study will be initiated in Fiscal Year 1986 to address various A-file storage and processing strategies, beginning with the AFACS file tracking system. This study will continue into Fiscal Year 1987.

Two of the Priorities for 1985 were so closely related that they will be discussed together:



This year, INS identified as a priority an effort to improve the public's attitude toward the Service and its mission by improving the professionalism of the agency. This effort places renewed emphasis on community relations, effective transmission of information to the public, and more initiatives with the media and in other public forums.

The objective is to improve those elements that affect attitudes toward INS. The best way to improve these attitudes is through performance and philosophy that reflect real accomplishments in sound public service. Important steps were taken in the first year of what will be a multi-year effort.

Recognizing that the Service's most important asset is its workforce, a

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broad effort was mounted to improve courtesy and professionalism. Motivational campaigns and contests were conducted on a regional basis to increase employee awareness and standards for dealing with the public, developed and tested improved personnel selection procedures, and laid the groundwork for better training programs for employees exposed to public contact work. The Western Region's slogan—"We Serve With Courtesy and Pride"—was adopted throughout the Service.

Significant accomplishments were made in refurbishing public contact areas in selected district offices which improved these environments for both the public and our employees. From the successes in offices like Miami, San Francisco and Los Angeles we produced a set of specifications that will be implemented as a national model to guide renovations in other locations. The model is important not only because of functional considerations such as traffic flow and signs, but also because the standards indicate that we intend to do business in a professional and effective fashion.

Forms used by the public were also redesigned. New designs and improved instructions were completed for applications that cover 80 percent of the services requested by the public. The new forms are more attractive, simpler to complete, and facilitate both filing and processing. Recent improvements in adjudicating immigration and naturalization benefits have provided more rapid processing of applications for both immigrants and nonimmigrants.

The Western Telephone Service Center servicing Los Angeles, San Diego, San Francisco and San Jose was opened and automated telephone systems were installed at selected locations to improve public access. Automated lobby information systems were improved and expanded to new locations, further reducing the demand on our limited public contact resources.

To continue improving media responsiveness, over 100 employees were trained in media techniques including on-camera exercises. To improve our posture in analytic, policy and research areas, we have reduced the backlog in statistical publications, established a Research Clearinghouse for important immigration documents, and established a Commissioner's Speakers Forum to provide an audience for those prominent in the field of immigration policy and practice.

A Key Cities Project was developed to devote national attention to the offices with the largest volumes of work. Well over half of our workload is concentrated in a small number of cities—New York, Miami, Chicago, San Francisco, Los Angeles and Washington, D.C. By giving immediate and top level management attention to these large district offices, we can expedite problem resolution. Proven successes are then more easily transferred to smaller operations.

This year, the focus of the Key Cities Project was on those activities which affected the delivery of services to the public. Major programs were: ADP Implementation, Balanced Adjudications, the Cuban Adjustment Program, Project Inform, and Upgrading Public Area Facilities and Service Systems. This project has provided important organizational development by strengthening communication and understanding between the Service's highest level field managers.

Well over half of our workload is concentrated in a small number of cities—New York, Miami, Chicago, San Francisco, Los Angeles and Washington, D.C.

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Management and Support Operations

I agree to this constitution, with all its faults—if they are such; because I think a general government necessary for us, and there is no form of government but what may be a blessing to the people, if well administered.

—Benjamin Franklin

Management and support operations fundamentally undergird the work of the Immigration and Naturalization Service. These Offices are:

The Office of the Deputy Commissioner

Thomas C. Ferguson
Deputy Commissioner

This office assists the Commissioner in all aspects of administering the Service. The Deputy Commissioner, Thomas Ferguson, oversees the day-to-day operations of the agency, exercising authority delegated by the Commissioner and performing such functions as he may assign. In the absence of the Commissioner, he serves as Acting Commissioner representing him in discussions with the general public, members of Congress, associations, and special interest groups.

The Deputy Commissioner has primary responsibility for coordinating the activities of program managers in the Central Office with line operations in the field through the Regional Commissioners. In 1985, this office:

- continued the operation of the Service's Priorities Management System, increasing the results orientation of annual objectives and incorporating plan changes through a contractual agreement among principals using an "MBO-like" system;
- conducted an analysis of the return on investment of Service operations. This demonstrated that INS is currently avoiding $363 million annually in unnecessary expenditures and has increased the Service's attention to the cost avoidance implications of operating decisions;
- emphasized the extension of preclearance and preinspection activities to high-volume air terminals overseas. This has resulted in the development of a coordinated government posture of support for this initiative and increased the receptivity of several foreign nations;
- instituted a conference control system to reduce travel and related costs involved in conferences, seminars and training sessions conducted by INS;
- played an important role in advocating the Administration's posture on H-2 regulations with Members of Congress and representatives of the industry; and

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■ was a leading advocate of organizational streamlining. These approaches have the promise of reducing overhead costs without negatively impacting on operations.

Office of the Executive Associate Commissioner

Doris M. Meissner
Executive Associate Commissioner

The Executive Associate Commissioner, Doris M. Meissner, assists the Commissioner and Deputy Commissioner in all aspects of the administration of the Service and in formulating and monitoring Servicewide goals, objectives and priorities. As the third in command, the Executive Associate Commissioner has both line and staff functions with primary responsibility for oversight and coordination of policies and programs relating to agency management systems, strategic planning, information resource management, new Servicewide initiatives and special projects. This office also supervises the Overseas offices, Plans and Analysis, Information Systems and Examinations.

Plans and Analysis devoted much of its 1985 efforts to improving and expanding information about existing and potential alien populations in the United States.

The Office of Plans and Analysis

The Office of Plans and Analysis serves as the principal staff adviser to higher management for the development and implementation of Servicewide policies, strategic plans and programs. In this capacity, the Plans and Analysis staff provided the analysis required for a 1985 Servicewide review of District office structure and workload and assisted INS managers in the development of a new five year Mission Plan for the Immigration and Naturalization Service.

In addition to its advisory role, Plans and Analysis devoted much of its 1985 efforts to improving and expanding information about existing and potential alien populations in the United States. Accomplishments include: 1) award of a research contract to obtain information on the illegal alien population residing in the United States, 2) organization of a research clearinghouse to provide an internal source of information on immigration and immigration-related matters, 3) development of a survey of Mariel Cubans regarding the probable future flow of their relatives into the United States, and 4) major improvements in INS statistical systems as the result of an INS-funded study on immigration statistics conducted by the National Academy of Sciences.

Office of General Counsel

Maurice C. Inman Jr.
General Counsel

The General Counsel, Maurice (Mike) Inman, is responsible for providing legal counsel to the Commissioner and INS operations officials on matters of law arising from the administration and enforcement of the immigration and nationality statutes. The General Counsel is the chief of all INS attorneys.

Significant litigation and litigation support achievements in 1985 include:

- successful litigation of two cases before the U.S. Supreme Court;
- the litigation of more than 700 cases in Federal district courts and courts of appeals where the Service's position was upheld in over 90 percent of the cases;
- expansion of the Special Assistant United States Attorneys program which places INS attorneys in the Office of United States Attorneys, not only to engage in the defense of civil litigation but in the prosecution of criminal cases such as Cuban criminals, alien smugglers and drug traffickers;

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The Office of General Counsel litigated more than 700 cases in Federal district courts and courts of appeals where the Service's position was upheld in over 90 percent of the cases.

- support for litigation programs of the Office of Immigration Litigation by seeking to enforce state employer sanction laws through prosecution of those employers engaged in a pattern and practice of knowingly hiring illegal aliens; and
- publication of a litigation handbook as well as special manuals and training materials for INS attorneys.

Additionally, the Office of General Counsel:

- collected over $3,000,000 in outstanding debts owed to INS, a 34 percent increase over 1984;
- completed 159,239 administrative cases;
- published the *Law Bulletin*, a monthly newsletter which reviews immigration cases decided by the federal courts and the BIA.
- participated extensively in legislative programs by preparing testimony, counseling witnesses, analyzing and commenting on legislative proposals, and drafting the administration's position on the proposed major reform legislation;
- supported the Systematic Alien Verification for Entitlement (SAVE) program by working with other federal, state and local authorities to help detect fraud in welfare benefits and other entitlement programs; and,
- participated in successful negotiations with Cuba to return excludable Cubans to their home country. The performance of this agreement, however, was subsequently suspended by the Cuban Government in response to Radio Marti.

Field Inspections and Audit

This office provides the Commissioner with independent appraisals of the efficiency, economy and effectiveness of INS programs and operations.

In 1985, inspections, audits and special reviews at the central, regional and field office levels led to a number of recommendations, such as:

- reinforcement of the concept of a national fines office;
- enhancement of regional adjudications centers;
- improved coordination between Investigations and other program managers;
- incorporating abscondee casework into the basic structure of case management; and,
- determining the extent to which investigation of Section 212(c) waivers are practical.

Office of Professional Responsibility

This office investigates allegations of duty-related criminal activity by Service employees and, through Management Integrity Reports and Seminars, alerts managers and supervisors to potential weaknesses in the control systems that could lead to criminal activity. It is organized into four field offices and a Central Office in Washington, D.C.

In the past year, 520 allegations were received. Of these, 213 were referred to the regions for investigation. Major categories were: sale of INS benefits such as permanent residency, smuggling of aliens, civil rights/physical abuse, and supervisory and managerial misconduct.

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Congressional Affairs coordinated the effort to secure passage of major immigration reform legislation during the 98th Congress.

Office of Congressional and Public Affairs

Gregory J. Leo
Director, Congressional & Public Affairs

The Office of Congressional and Public Affairs is responsible for coordinating Service communication, interaction and liaison with the Congress, press and public. As part of this mission, the office is responsible for intergovernmental relations with other federal agencies as well as with state and local government units. Additionally, this office supervises the design and production of printed and other communication materials for the agency. The office is organized into two units: the Office of Congressional Affairs and the Press Information Office.

Congressional Affairs coordinated the effort to secure passage of major immigration reform legislation during the 98th Congress. Reform bills were passed by the Senate in 1983 and the House in 1984, but a Senate-House Conference Committee failed to agree on a consensus bill in the last days of the 98th Congress.

The office conducted liaison with other government agencies and aided INS briefing of dignitaries from 14 countries. The office held two seminars for congressional staff workers in Washington, D.C. and assisted INS field officers in planning and conducting seminars for congressional district staff workers in 12 cities.

Approximately 30,000 telephone inquiries were received from Congress and other sources. The office prepared more than 4,800 written responses to Congressional inquiries and received and relayed to field offices reports of agency checks in more than 1,000 specially expedited orphan petition cases.

Press Information Office

The Press Office is responsible for coordinating and responding to inquiries about INS activities and policies from the nation's news organizations. The office also produces two periodic publications on major Service activities for informational purposes.

To help implement Commissioner Nelson's policy goal of being more vocal about Service operations and policies in the public forum, media relations training sessions were continued throughout 1985. Training sites in Burlington, Vermont and Philadelphia, Pennsylvania were used for on-camera experience in dealing with television news media.

Two Public Information Offices were added to the Service this year—in the regional offices of Dallas and Burlington—thus expanding the total in the Service to six. This action was for the purpose of creating a greater number of media contact points across the nation.

In an effort to guide Service Managers in responding to the media, the Press Office sponsored the Third Annual Public Affairs Conference in Denver, Colorado in August. Attending the Conference were members of the Central Office Public Affairs staff, Regional Press Information Officers, District Directors, Chief Patrol Agents and the Southern Regional Commissioner.

Media relations techniques were discussed, as were significant public affairs issues that arose during the past year. Immigration legislation, sanctuary, asylum and marriage fraud received significant attention from the press in 1985.

The Commissioner appeared before a number of groups to speak on a variety of media significant matters relating to immigration throughout the year. The Center for Migration Studies hosted Mr. Nelson for a speech dealing with immigration and refugee policy. The Commissioner also spoke before the Los Angeles World Affairs Council and the Pittsburgh World Affairs Council, both on the relationship between U.S. immigration and foreign policy.

The Commissioner met with church groups as well as the media to explain the INS position on the sanctuary movement. He debated the issue in March in New York with Reverend Dr. William Sloane Coffin, Jr., a leader of the movement, under the auspices of the Council on Religion and International Affairs.

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Office of Management

H. F. Sylvester
Associate Commissioner, Management

This office provides management, budgetary and administrative policy and support services necessary for the efficient conduct of the INS mission.

Major initiatives pursued in 1985 centered on the delivery of services and operational support needed for the timely completion of the Commissioner's Key Priorities and the continuation of multi-year projects designed to achieve maximum savings and efficiency under the auspices of the Administration's Reform '88 Management Improvement Program. Productivity projects, such as Office of Management and Budget Circulars A-123 and A-76, the Federal Managers Financial Integrity Act, initiatives sponsored by the Cabinet Council on Management and Administration, and the President's Private Sector Survey on Cost Control (Grace Commission) provided the impetus for these improvement activities.

Administration

This office is responsible for contracting and procurement, property and vehicle fleet management, general services, security, health and safety, facilities and engineering, and publications.

Major accomplishments in 1985 included the development of an automated Real Property Management System which will enable the Service to significantly improve facility maintenance, utilization and accountability. Also, the initiation of a nationwide vehicle maintenance program for repair services is expected to substantially reduce repair costs and provide improved cost control over the approximately 4,000 vehicles in the INS fleet.

Additionally, the combined efforts of the Facilities, Contracts and Fleet Management staffs resulted in the timely provision of the new facilities, vehicles and equipment needed to support the Southern Border Enforcement initiative.

Comptroller

This office monitors resource requirements and utilization; coordinates the development and submission of INS budgets; and develops and implements financial systems, policies and procedures.

During 1985, two notable regulatory changes were developed and implemented, resulting in significant revenue enhancements:

- air carriers arriving on schedule at airports not designated as International Airports, which were previously considered as designated airports for purposes of 1931 Act inspection overtime, are now reimbursing INS for inspection overtime costs. This change will generate additional revenues of more than $5 million annually; and,
- air carriers which were not required to pay the excess costs attributable to preclearance inspection will now be required to pay these costs at designated foreign locations. This charge will generate additional revenues of $1.5 million annually.

Other salient activities included:

- a user charge fee review was completed which will generate additional revenue of more than $8 million annually;
- more than $77 million was collected and deposited from a variety of reimbursements, fees, fines and penalties;
- more than 150,000 payments were made to vendors and employees;
- the Office was reorganized under a Comptroller and Deputy Comptroller structure for more efficient operations;
- the Diners Club charge card program was implemented to improve travel and cash management; and,
- the consolidation and preparation of financial reports were automated to improve productivity and enhance reliability.

Personnel and Training

This office is responsible for the development, implementation, administration and evaluation of personnel management programs and of programs for technical training and employee development.

During 1985, major efforts focused on the hiring and training of approximately 1,200 Border Patrol Agents. Following the completion of training at the Border Patrol Academy, these

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trainees will be assigned to various duty locations along the southern border as part of the Enforcement Enhancement initiative.

The Service has proposed that a portion of historic Ellis Island be developed as a conference/training/cultural/educational center. While maintaining the immigration heritage of the island, the Center would provide meeting and informational services to the public, interest groups, and all levels of government and international organizations.

Such a facility would be used by both the Service and other government agencies for short and long term training activities. Cultural events—particularly those featuring the diverse foreign heritage of Americans—could be held on Ellis Island. Beyond being of interest to tourists, it could draw students and researchers to an immigration archives and genealogy center. This proposal is under study by the federal government and the Liberty-Ellis Island Foundation.

Evaluation and Management Assistance

This office provides comprehensive management consultant and evaluation services to all levels of INS management in order to ensure optimal effectiveness and efficiency of INS programs.

In 1985, this office conducted or participated in the following special studies:

- DOJ/INS study of INS Interprogrammatic Impacts:
- Confiscated/Forfeited Vehicle (Contracting Out of Towing and Storage of Seized Vehicles);
- Evaluation of INS ADP Security;
- Evaluation of Impact on Non-Immigration Inspector Personnel;
- DOJ Study of Administratively Uncontrollable Overtime; and
- Evaluation of Administrative Support in INS Executive offices.

In 1985, the number of minority employees increased from 37.6 to 39.7 percent of the total INS work force.

Equal Employment Opportunity (EEO)

This office is responsible for the development, implementation, administration and evaluation of Servicewide EEO programs pursuant to Title VII of the Civil Rights Act of 1964 and related EEO laws governing the employment of handicapped and disabled veterans.

In 1985, the number of minority employees increased from 37.6 to 39.7 percent of the total INS work force. Representation of women employed by INS increased by 177 to 35.4 percent. In addition, there have been significant gains by women and minorities in key INS occupations. The number of women employed as Border Patrol Agents increased by 64.6 percent (from 65 in 1984 to 107 in 1985) and the number of Hispanics employed as Border Patrol Agents increased by 55.6 percent (from 612 in 1984 to 954 in 1985).

Additionally, this office provided guidance and training to INS managers and supervisors on EEO matters. This has contributed to a higher level of complaints of discrimination being settled or otherwise resolved prior to issuance of final agency decisions at the Departmental level.

Offices of Information Systems

John R. Murray
Associate Commissioner, Information Systems

The offices of Information Systems provide technical direction and support in the achievement of the goals and strategies set forth in the Service's Long-Range ADP Plan. Particular emphasis is placed on the Commissioner's priority initiatives for each year. The functional areas under Information Systems in 1985 were the Records Systems Division, Policy Directives and Instructions, Project Control and Integration Division, and the Data Systems Division.

Records Systems Division

This office is responsible for evaluating records management programs that support INS management and operational needs, including

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maintenance and use of centralized alien files and records and providing policy guidance and technical support on records management activities and the Freedom of Information and Privacy Act procedures. In addition, the office responds to inquiries from the public and other federal agencies on immigration laws, regulations and procedures.

The Records Systems Division continued in 1985 to improve service to the public and INS mission-oriented operations by:

- implementing an automated Freedom of Information Act and Privacy Act Case Tracking and Reporting System to support administration at all levels of INS;
- participating with the General Services Administration in a Servicewide mail economy demonstration project which amounted to an estimated annual savings of $700,000;
- testing an unattended 24-hour-a-day taped "Ask Immigration" telephone answering system to enable INS offices with a minimal workforce to be able to provide assistance and information more efficiently to the public when this concept is expanded; and,
- implementing the Cuban Adjustment Program System in early April 1985 to support the special adjustment effort.

Eight forms representing approximately 80 percent of the applications received from the public were redesigned.

Office of Policy Directives and Instructions

This office is responsible for the development and publishing of the Service's policy and directives statements as well as maintenance of the Operations and Instructions laws of the Service. In 1985:

- the on-line Directives and Instructions Access System (DIAS) was implemented, providing access to the INS "law books," i.e., the Immigration and Nationality Act, the Code of Federal Regulations, and the Operations Instructions and Interpretations; and,
- eight forms representing approximately 80 percent of the applications received from the public were redesigned to promote the collection of complete and necessary information with greater economy and efficiency, as well as reduce confusion for the general public.

Project Control and Integration Division (PC&I)

This Division is responsible for ADP planning, software engineering, and data base management expertise to support systems development efforts. In general, it advises on systems standardization, software, training of INS personnel, and resource use and management.

In 1985, PC&I:

- updated the INS Long Range ADP Plan to reflect changes in priorities and progress made thus far;
- began implementation of an eight-year, $60 million computer hardware acquisition and office automation equipment contract to IBM; and
- continued work on Project INFORM, a long-term project to help local offices improve their files accountability systems, including cleaning up records backlogs.

Data Systems Division

This Division develops, coordinates and administers programs for the automated processing and delivery components of INS information systems. These include automated data processing, word processing, data telecommunications, radio and sensors. The Division also provides support for the acquisition of automated data processing and telecommunication technology and systems services including systems development, maintenance and operation.

Data Systems continued in 1985 to proliferate the Service's automated casework support systems, including NACS, DACS and LCTS; in addition to ASIS and NAILS.

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The Mariel Cuban Registration Program was the primary Outreach activity in 1985.

The Outreach Program

The Outreach Program of the Service provides liaison, training and technical assistance to voluntary and community agencies (VOLAGS) involved in immigration counseling and refugee resettlement.

The Mariel Cuban Registration Program was the primary Outreach activity in 1985. Cooperating closely with the Adjudication and Naturalization Program and the Community Relations Service (CRS) of the Department of Justice in planning the registration/adjustment program, Outreach played a pivotal role in discussions leading to CRS transferring $1.1 million to INS to implement the program.

The Outreach Program successfully organized voluntary and community organizations across the country to register approximately 97,000 Mariel Cubans during December 1984 and January 1985. The purpose of the registration drive was to facilitate the follow-up adjustment program by determining the location of the largest concentrations of Mariel Cubans, staffing examiner and clerical positions to meet the anticipated workloads, and transferring case files to the appropriate INS offices. The Outreach Program conducted 25 training workshops for 640 VOLAG participants who were assisting eligible Mariel Cubans to prepare and submit adjustment applications according to Service instructions. In order to assure a steady flow of adjustment applications, Outreach staff have continued to provide on-site, followup technical assistance to VOLAGS in the heavily impacted areas of Miami, New York, Chicago and Los Angeles.

In addition, the Outreach staff conducted 12 regular workshops for 476 participants in 10 states. Workshop topics covered family reunification and adjustment of status, visa processing abroad, asylum, refugee processing, foreign student regulations and exclusion and deportation hearing procedures. The workshops are intended to instruct VOLAG staffs on how to comply with INS regulations in preparing and submitting applications and petitions to the Service, thus reducing Service screening and adjudicating time.

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I am not an advocate for frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times.

—Thomas Jefferson

Planning for the Future

The Reagan Administration originally proposed immigration reform legislation in 1981. This was based in part on the recommendations of the Select Commission on Immigration and Refugee Policy, whose work was conducted between 1979 and 1981. Their recommendations were presented to the President and Congress in March of 1981.

Senator Alan Simpson and Congressman Romano Mazzoli jointly sponsored the reform legislation in 1982, which was the basis for Congressional consideration through 1984. Although reform bills were passed by the Senate in 1983 and the House in 1984, a Senate-House Conference Committee failed to agree on a consensus bill in the last days of the 98th Congress. Senator Simpson promptly reintroduced the legislation in 1985. Congressman Peter Rodino was the sponsor of the companion bill on the House side.

Senator Alan Simpson, Chairman of the Senate immigration subcommittees, secured Senate passage of his immigration reform bill in 1985.

Congressman Romano Mazzoli (far left) chairs one of the many House immigration subcommittee hearings in 1985.

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To understand the nature of this process, it is important to examine the characteristics of both Congressional bills:

The Senate Bill

In September of 1985, the Senate approved the Simpson bill by a bipartisan vote of 69 to 30. It received the support of the U.S. Chamber of Commerce and other business groups through the modification of the *employer sanctions* provision to make the employment verification procedure optional for all employers while making the failure to follow this procedure a rebuttable presumption of knowingly hiring an illegal alien. The *legalization program* was delayed for three years or earlier if a special commission concluded that enhanced enforcement was effectively reducing the flow of illegal entrants and visa abusers into the United States. This feature was opposed by some groups but was attractive to persons who felt that immediate legalization would only draw in new illegals and should only occur when effective enforcement against such illegal migrants could be observed. It also delayed the potential increase in social service outlays on behalf of newly legalized aliens.

One important addition to the Senate version was the Hawkins Amendment. This mandates alien status verification for three major entitlement programs. Congressman Dan Lungren is expected to introduce a similar amendment in the House version. Both amendments require many federally subsidized programs to participate in SAVE or a similarly constructed alien status verification system.

Finally, the Senate passed bill included a new *agriculture guestworker program* to be administered by the Attorney General. It would allow the admission of a maximum of 350,000 foreign workers annually to fill positions in perishable agriculture. Promoted by Western growers who maintained that sufficient U.S. resident workers are not available, it was opposed by organized labor and others who feared the workers might overstay their legal admission and move into other jobs.

The House Bill

Hearings on the Rodino bill in the House of Representatives began in September. Several features distinguished it from the Senate bill. The *employer sanctions* provisions continued the mandatory employment verification process. The *legalization program* would cover illegal aliens who had entered the U.S. prior to January 1, 1982 and would begin concurrent with the effective date of employer sanctions. This was regarded by some as overly generous, creating greater inducement for continuing illegal entry and requiring very high federal reimbursements (100 percent) to state and local governments for social services provided to this larger pool of legalized aliens.

While containing new statutory language covering the existing H-2 temporary worker program for agriculture, the bill did not include either any guestworker provision or some of the compromise H-2 provisions arrived at by the 1984 conference committee. The bill also provided new bars to employment discrimination by employers.

The Rodino bill also includes a statutory prohibition of employment discrimination based on national origin by employers of 14 employees or less and on alienage/citizenship grounds by any employer. Such discrimination would be investigated and any charges filed by a special counsel with hearings before immigration judges. These provisions are viewed as extraneous to the bill by some, whereas Hispanics and other groups have argued that they are essential to prevent a claimed increase in discrimination against Hispanics and other foreign-appearing job seekers. The business community has opposed this provision as being unnecessary and leading to their harassment by persons they did not hire, but not for reasons of national origin, alienage or citizenship.

At the close of 1985, the Service was actively planning for possible implementation of the reform legislation as well as responding to questions from Congress and the public about the likely effect of certain provisions.

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